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January 3, 2006

Signature: [Signature]

(Roger A. Heppermann)

Docket No.: 06005/38302B
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Philip Eggleston.

Application No.: 10/005,534

Filed: November 8, 2001

Art Unit: 3754

For: Rotary Valve Apparatus

Examiner: Enoch E. Peavey

**RENEWED PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT
UNDER 37 CFR 1.181**

MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper is a Renewed Petition filed in response to the Decision on Petition to Withdraw the Holding of Abandonment, mailed November 9, 2005 (the "Decision"), regarding the Notice of Abandonment mailed in the above-identified patent application on July 8, 2004. This Renewed Petition is being filed less than 2 months from the mailing date of the Decision and thus is timely filed. No fees are believed to be necessary with the filing of this Renewed Petition. However, should any fees for consideration of this Renewed Petition or for an extension of time be necessary, the Director is hereby authorized to charge any such fees to the Deposit Account of Marshall, Gerstein & Borun LLP, Deposit Account No. 13-2855. A copy of this paper is enclosed. Additionally, should an extension of time be required in this case, please consider this paper as a petition for the necessary extension of time.

The applicants respectfully request withdrawal of the holding of abandonment in the above-identified patent application. According to 37 CFR 1.8(b), in the event that correspondence is timely filed by being mailed or transmitted in accordance with 37 CFR 1.8(a), but not received in the Patent Office after a reasonable amount of time, the

correspondence will be considered timely filed if the party who forwarded such correspondence:

- 1) Informs the Office of the previous mailing or transmission of the correspondence promptly after becoming aware that the Office has no evidence of receipt of the correspondence;
- 2) Supplies an additional copy of the previously mailed or transmitted correspondence and certificate; and
- 3) Includes a statement which attests on a personal knowledge basis or to the satisfaction of the Director to the previous timely mailing or transmission.

Accordingly, included with this renewed petition are:

- 1) A copy of a previously mailed Amendment mailed on February 12, 2004, in response to the Office Action dated November 13, 2003 (Exhibit A);
- 2) A copy of a portion of a docketing log kept in the normal course of business by the offices of Marshall, Gerstein & Borun LLP showing that an amendment was deposited for the above-identified patent application (attorney docket no. 06005/38302B) with the U.S. Postal Service on February 12, 2004 (Exhibit B);
- 3) A copy of the front of the file kept by the docketing department of the offices of Marshall, Gerstein & Borun LLP showing that an amendment was deposited for the above-identified patent application (attorney docket no. 06005/38302B) with the U.S. Postal Service on February 12, 2004 (Exhibit C);
- 4) A copy of an acknowledgement postcard indicating that the Patent Office actually received the Amendment of Exhibit A on February 17, 2004; and
- 5) A statement under 37 CFR 1.8(b)(3) by the person signing the Certificate of mailing on the Amendment of Exhibit A.

Statement under 37 CFR 1.8 (b)(3)

I, Roger A. Heppermann, have personal knowledge of this matter and hereby attest that I signed the Certificate of Mailing dated February 12, 2004 on the Amendment of Exhibit A (the "Amendment"), and that this Certificate of Mailing bears my signature. Further, I had a reasonable basis for belief, at the time of signing, that the Amendment would be deposited with the U.S. Postal Service on February 12, 2004 as I took actions within my

office that would normally result in this Amendment being placed in the custody of the U.S. Postal Service on the date indicated in the Certificate of Mailing. In particular, after signing the Certificate of Mailing on the Amendment, I provided the Amendment to the docketing department of Marshall, Gerstein & Borun LLP who placed the Amendment in an envelope and mailed it on February 12, 2004. I believe that the Amendment was actually deposited with the U.S. Postal Service on February 12, 2004, as evidenced by the docketing records of Marshall, Gerstein & Borun LLP (Exhibits B and C) showing that the Amendment was mailed in the above-identified patent application with a Certificate of Mailing on February 12, 2004. This fact is further supported by the evidence of Exhibit D in the form of a copy of the return receipt postcard indicating that the Amendment was actually received by the Patent Office on February 17, 2004.

REMARKS

The undersigned representative affirms that all copies of the documents in Exhibits A-D are true copies of the documents in the files of Marshall, Gerstein & Borun LLP.


The above-identified application became abandoned for failure of the Patent Office to acknowledge and consider the applicants' timely and properly submitted response to the Office Action mailed November 13, 2003. However, the applicants submitted a timely response to the November 13, 2003 Office Action by mailing the Amendment (of Exhibit A) with a duly executed Certificate of Mailing under 37 CFR § 1.8(a), on February 12, 2004, which is within the shortened statutory response period. Therefore, under 37 CFR § 1.8(a), the Amendment should be considered timely filed, and the holding of abandonment should be withdrawn.

In view of the above documentation and statement under 37 CFR 1.8(b)(3), the applicants submit that the Notice of Abandonment was issued in error because, contrary to the reasons given in the Notice of Abandonment, the applicants filed a timely response to the Office Action mailed on November 13, 2003. As such, the applicants respectfully petition for reconsideration and withdrawal of the Notice of Abandonment.

Dated: January 3, 2006

Respectfully submitted,

By


Roger A. Heppermann

Registration No.: 37,641

MARSHALL, GERSTEIN & BORUN LLP

233 S. Wacker Drive, Suite 6300

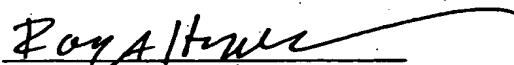
Sears Tower

Chicago, Illinois 60606-6357

(312) 474-6300

Attorney for Applicants

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Applicant: Eggleston	)	I hereby certify that this paper is being
	)	deposited with the United States Postal
Serial No.: 10/005,534	)	Service as first class mail, postage
	)	prepaid, in an envelope addressed to:
Filed: NOVEMBER 8, 2001	)	Mail Stop Non Fee Amendment
	)	Commissioner for Patents, P.O. Box
Title: ROTARY VALVE APPARATUS	)	1450, Alexandria, VA 22313-1450,
	)	on February 12, 2004.
Group Art Unit: 3676)	
)	
Examiner: PEAHEY, ENOCH E.	)	Roger A. Heppermann
	)	Reg. No. 37,641
	)	Attorney for Applicant.

**AMENDMENT IN RESPONSE TO THE
OFFICE ACTION DATED NOVEMBER 13, 2003**

Mail Stop Non Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Amendment is in response to the Office Action mailed on November 13, 2003.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this Amendment.

Remarks begins on page 10 of this Amendment.

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) A rotary valve comprising:
a valve body;
a seal structure, carried by said valve body [[, for forming an elliptical seating surface]], said seal structure including opposing first and second annular seal cartridge members and a resilient annular seal to form a seating surface wherein the first and second seal cartridge members form a cavity to receive said resilient annular seal such that said annular seal inwardly protrudes from said cavity, said cavity having an elliptical configuration to deform said resilient annular seal to an elliptical shape; [[and]]
a shaft having a first longitudinal portion disposed externally of said valve, and a second longitudinal portion disposed internally of said valve;
a disc operably connected to said second longitudinal portion and
rotatably carried by said valve body [[and]], said disc having an elliptical periphery rotatable into and out of sealing engagement with said seating surface.
2. (Canceled)
3. (Canceled)
4. (Currently Amended) The rotary valve of Claim [[3]] 1 wherein:
said annular seal member has a radially outer peripheral portion clamped between opposing portions of said first and second seal cartridge members.

5. (Original) The rotary valve of Claim 1 wherein:
said cavity has an elliptical configuration, and
said annular seal member is of a metal material and is resiliently
deformable to said elliptical configuration in response to
engagement by said elliptical periphery of said disc.
6. (Original) The rotary valve of Claim 1 wherein:
said valve body has an interior, and
said rotary valve further comprises abutting fixed geometry structures
carried by said valve body and said disc and functioning to hold
said disc in a precisely centered orientation within said interior of
said valve body.
7. (Original) The rotary valve of Claim 6 wherein:
said disc is rotatable relative to said valve body about an axis, and
said abutting fixed geometry structures include:
first and second guide structures spaced apart along said axis, and
extending inwardly into said interior of said valve body, and
a mounting structure carried by said disc and having oppositely
facing surfaces spaced apart along said axis and abutting
said a first and second guide structures.
8. (Original) The rotary valve of Claim 7 wherein:
said valve body has an annular shape with diametrically opposite, parallel
flat areas formed on the exterior periphery thereof and spaced a
apart along said axis, said flat areas having openings extending
radially therethrough and removably receiving said first and second
guide structures, and
said first and second guide structures have enlarged portions abutting said
flat areas and preventing further movement of said first and second
guide structures into said interior of said valve body.

9. (Original) The rotary valve of Claim 7 further comprising;
a shaft rotatably locked to said disc, said shaft having a longitudinal
portion rotatably extending through one of said first and second
guide structures.
10. (Original) the rotary valve of Claim 7 wherein one of said first and second
guide structures has a portion rotatably coupled to said mounting
structure.
11. (Original) The rotary valve of Claim 1 further comprising:
a shaft having a first longitudinal portion extending inwardly through said
valve body and being rotationally locked to said disc, and a second
longitudinal portion disposed externally of said valve body and
being drivingly rotatable to cause a corresponding rotation of said
disc about said axis, and
an actuator support structure secured to the exterior of said valve a body
and being connectable directly to an actuator useable to drivingly
rotate said second longitudinal portion of said shaft.
12. (Original) The rotary valve of Claim 11 wherein said actuator support
structure is of a one-piece construction and is removably secured to said
valve body.

13. (Original) The rotary valve of Claim 12 wherein:
said valve body has a generally annular configuration with a
circumferentially spaced pair of flat areas formed on the external a
periphery of said valve body on opposite sides of said second
longitudinal portion of said shaft, and
said one-piece actuator support structure has a generally inverted U-
shaped configuration with a spaced pair of leg portions with free
end a portions removably secured to said flat areas of said valve
body, and a closed outer end portion to which a valve actuator may
be directly secured.
14. (Currently amended) A rotary valve comprising:
a valve body having an interior;
a seal structure carried by said valve body and defining a seating surface;
a disc carried within said valve body interior for rotation relative to said
valve body about an axis and having a periphery rotatable into and
out of sealing engagement with said seating surface; [[and]]
a shaft having a first longitudinal portion rotationally locked to said disc,
and a second longitudinal portion disposed externally of said valve
body; and
abutting fixed geometry structures carried by said valve body and said
disc including first and second guide structures spaced apart along
said axis and extending inwardly into said interior of said valve
body, and a mounting structure carried by said disc having
oppositely facing surfaces spaced apart along said axis and
abutting said first and second guide structures such that said first
longitudinal portion of said shaft rotatably extends through one of
said first and second guide structures wherein said guide structures
[[and functioning]] function to hold said disc in a precisely centered
orientation within said interior of said valve body.

15. (Canceled)
16. (Currently Amended) The rotary valve of Claim ~~[[15]]~~ 14 wherein:
said valve body has an annular shape with diametrically opposite, parallel
flat areas formed on the exterior periphery thereof and spaced apart
along said axis, said flat areas having openings extending radially
therethrough and removably receiving said first and second guide
structures, and
said first and second guide structures have enlarged portions abutting said
flat areas and preventing further movement of said first and second
guide structures into said interior of said valve body.
17. (Canceled)
18. (Currently Amended) The rotary valve of Claim ~~[[15]]~~ 14 wherein one of
said first and second guide structures has a portion rotatably coupled to
said mounting structure.

19. (Currently Amended) A rotary valve comprising:
- a valve body;
 - a seal structure carried by said valve body and defining a seating a surface;
 - a disc rotatably carried by said valve body and having a periphery rotatable into and out of sealing engagement with said seating surface;
 - a shaft having a first longitudinal portion rotationally locked to said a disc, and a second longitudinal portion disposed externally of said valve a body and being drivingly rotatable to cause a corresponding rotation of said disc; [[and]]
 - abutting fixed geometry structures carried by said valve body and said disc including first and second guide structures spaced apart along said axis and extending inwardly into said interior of said valve body, and a mounting structure carried by said disc having oppositely facing surfaces spaced apart along said axis and abutting said first and second guide structures such that said first longitudinal portion of said shaft rotatably extends through one of said first and second guide structures wherein said guide structures function to hold said disc in a precisely centered orientation within said interior of said valve body; and
 - an actuator support structure secured to the exterior of said valve body and being connectable directly to an actuator useable to drivingly rotate said second longitudinal portion of said shaft.
20. (Original) The rotary valve of Claim 19 wherein said actuator support structure is of a one-piece construction.
21. (Original) The rotary valve of Claim 19 wherein said actuator support structure is removably secured to said valve body.

22. (Original) The rotary valve of Claim 21 wherein:
- said valve body has a generally annular configuration with a circumferentially spaced pair of flat areas formed on the external periphery of said valve body on opposite sides of said second longitudinal portion of said shaft, and
 - said one-piece actuator support structure has a generally inverted U-shaped configuration with a spaced pair of leg portions with free end portions removably secured to said flat areas of said valve body, and a closed outer end portion to which a valve actuator may be directly secured.
23. (Withdrawn) A method of constructing a seal cartridge for a rotary valve, said method comprising the steps of:
- providing a first seal cartridge member having a side transverse to and circumscribing a first axis;
 - exerting and maintaining on said first seal cartridge member oppositely directed forces resiliently deforming it along a second axis transverse to said first axis;
 - forming on said side of the resiliently deformed first seal cartridge member a circularly configured depression circumscribing said first axis;
 - terminating said forces to permit the resiliently deformed first seal cartridge member to return to its original shape and thereby cause said circularly configured depression to assume an elliptical shape; and
 - inserting an annular seal member in the elliptically shaped depression.
24. (Withdrawn) A seal cartridge constructed by the method of Claim 23.

25. (Withdrawn) The method of Claim 23 further comprising the steps of:
providing a second seal cartridge member, and
sandwiching said seal member between said first and second seal a
cartridge members.
26. (Withdrawn) A seal cartridge constructed by the method of Claim 25.
27. (Withdrawn) The method of Claim 23 wherein:
said annular seal member has a circular shape, and
said inserting step is performed in a manner causing the seal member to
be deformed to an elliptical shape within said depression.
28. (Withdrawn) A seal cartridge constructed by the method of Claim 27.
29. (Withdrawn) The method of Claim 27 wherein said step of inserting an
annular seal member is performed using an annular seal member having
an elastomeric body portion.
30. (Withdrawn) A seal cartridge constructed by the method of Claim 29.
31. (Withdrawn) The method of Claim 23 wherein said step of inserting an
annular seal member is performed using an annular metal seal member.
32. (Withdrawn) A seal cartridge constructed by the method of Claim 31.

REMARKS

This Amendment responds to the Office Action dated November 13, 2003. Based upon the foregoing amendments and following comments, Applicant respectfully requests reconsideration and allowance of the pending claims.

To satisfy 37 C.F.R. §1.143, the Applicant provisionally elected for examination on the merits, with traverse, claims 1-22. Applicant asserted in response to the July 22, 2003 Office Action that the Examiner had not provided appropriate explanation regarding the separate classification of the original claims. In the present Office Action, the Examiner has attempted to rebut these assertions and Applicant's objections to the restriction requirement. The Examiner has further stated that there are no allowable generic or linking claims. Subsequently, claims 23-32 were withdrawn from consideration as being drawn to a non-elected species. Accordingly, claims 1-22 are under consideration.

By way of this amendment, claims 2, 3, 15, and 17 are canceled. The subject matter of claims 2 and 3 is incorporated into independent claim 1. The subject matter of claim 15 and 17 is incorporated into independent claim 14. Further, claims 4 and 5 are amended to properly depend from claim 1 and claims 16 and 18 are amended to properly depend from claim 14. Finally, independent claim 19 is amended to better define Applicant's invention. Thus, claims 1, 4-14, 16, and 18-22 are presently pending and at issue in this application. No new matter has been added.

The cancellation of claims 2, 3, 15, and 17 should in no way be construed as an acquiescence to any of the rejections stated in the Office Action. These claims are cancelled solely to expedite the prosecution of the present application. Additionally, Applicant does not intend to abandon the scope of the non-elected claims as originally filed or as withdrawn by the Examiner in the present Office Action, but may pursue the remaining claims, either by petition for further review or in a divisional application.

I. 35 U.S.C. §112 REJECTION

Claim 5 stands rejected under 35 U.S.C. §112 as indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In particular, the pending Office Action alleges that there is insufficient antecedent basis for the limitation "said cavity" in line 2 of the claim 5. Claim 1, from which claim 5 depends, is amended to provide proper antecedent basis for the limitation "said cavity" within claim 5. Applicant respectfully submits, therefore, that claim 5 is now in proper form and requests reconsideration and withdrawal of the rejection.

II. 35 U.S.C. §102(b) REJECTIONS

Claims 1 and 2 stand rejected under 35 U.S.C. §102(b) as anticipated by Hubertson (U.S. Patent No. 4,286,769.) Applicant respectfully traverses these rejections.

As an initial matter, Applicant is appreciative of the recognition by the Examiner for his indication of the allowability of claims 3, 4, 8, 9, 16, and 17 if rewritten according to the recommendations stated in the Office Action. The Office Actions states "the prior art of record does not disclose or suggest deforming the annular seal into an elliptical seal by placing it into [an] elliptical cavity of a seal structure...." In accordance with the Examiner's recommendations, independent claim 1 is amended to include the limitations of original dependent claims 2 and 3. Claims 2 and 3 are canceled.

As a result, independent claim 1 (which is actually the same in scope as original claim 3) now recites a rotary valve containing a seal structure including *opposing first and second annular seal cartridge members and a resilient annular seal* such that the cavity formed by opposing first and second annular seal cartridge members provides *an elliptical configuration to deform said resilient annular seal to an elliptical shape* and additionally recites a shaft having *a first longitudinal portion disposed externally* of the valve and *a second longitudinal portion disposed internally* of the valve. Because claim 1 is the same in scope as original claim 3, which was indicated to be allowable, Applicant submits that

claim 1 and all claims dependent thereon are now allowable. Applicant therefore requests reconsideration and withdrawal of the rejection.

Claims 14, 15, and 18 stand rejected under 35 U.S.C. §102(b) as anticipated by Scobie et al. (U.S. Patent No. 4,659,064.) Applicant respectfully traverses these rejections.

In accordance with the Examiner's recommendations regarding allowable subject matter, independent claim 14 is amended to include the limitations of original dependent claims 15 and 17.

As a result, amended independent claim 14 (which is actually the same in scope as original claim 17) recites a rotary valve comprising a *shaft having a first longitudinal portion rotationally locked to a disc* and a second longitudinal portion disposed externally of the valve body such that the provided first and second guide structures extend inwardly into the valve body and recites that the *first longitudinal portion of said shaft rotatably extend[s] through one of the first and second guide structures such that the guide structures function to hold said disc in a precisely centered orientation* within said interior of said valve body.

Because claim 14 is the same in scope as original claim 17, which was indicated to be allowable, Applicant submits that claim 14 and all claims dependent thereon are now allowable. Applicant therefore requests reconsideration and withdrawal of the rejections.

III. 35 U.S.C. §103 REJECTIONS

Applicant respectfully traverses the rejections of claim 5 (as obvious over Hubertson), claims 6, 7, and 10 (as obvious over Hubertson in view of Scobie et al.), claims 11-13 (as obvious over Hubertson in view of Bylsma, U.S. Patent No. 4,181,288), and claims 19-22 as obvious over Hubertson in view of Bylsma. Applicant respectfully requests reconsideration and withdrawal of these rejections.

Applicant submits that the foregoing amendments to claim 1 have rendered the rejections of dependent claims 5, 6, 7, and 10-13 moot, as each of

these claims now depends from an allowable claim. As such, these rejections should be withdrawn.

In addition, independent claim 19 is amended to incorporate the subject matter from original claims 15 and 17. Applicant submits, therefore, that claim 19 and each of dependent claims 20-22 is allowable for the reasons indicated by the examiner in the Office Action with respect to original claim 17.

Applicant respectfully submits that the amendments and the remarks presented herein place the application in condition for allowance. If necessary to grant an allowance in this case, Applicant grants the Examiner permission to cancel withdrawn claims 23-32 in an Examiner's Amendment.

IV. CONCLUSION

For the reasons stated above, Applicant submits that the specification and claims are in proper form and clearly define patentable subject matter with respect to the prior art. If there are any additional fees or refunds required, the Commissioner is directed to charge or debit Deposit Account No. 13-2855 of Marshall, Gerstein & Borun LLP.

Respectfully submitted for,

MARSHALL, GERSTEIN & BORUN LLP

February 12, 2004

By: 
Roger A. Heppermann
Reg. No. 37,641
6300 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606-6402
(312) 474-6300

Atty.	Inventor/TM	Client/Matter No.	Serial No.	Description	
RAM	Naughty Aughties	29510/610012	2 496600	NEW APPL.: (371, Cont, CIP, Design, Div, PCT, Patent, Prov, RCE, TM.) Amdt, Assn, CH II, COC, Decl, Dwgs, IDS, Issf, Pet for EOT; Resp, St. of Use, Other: <i>Change of address of Reg.</i> Express Cert. Mail	
TJW	Colo	2000/39294	10/299334	NEW APPL.: (371, Cont, CIP, Design, Div, PCT, Patent, Prov, RCE, TM.) Amdt, Assn, CH II, COC, Decl, Dwgs, IDS, Issf, Pet for EOT; Resp, St. of Use, Other: <i>Reg. for Corr. Rcpt</i> Express Cert. Mail	
RAM	Scott	00005/39590	10/672006	NEW APPL.: (371, Cont, CIP, Design, Div, PCT, Patent, Prov, RCE, TM.) Amdt, Assn, CH II, COC, Decl, Dwgs, IDS, Issf, Pet for EOT; Resp, St. of Use, Other: <i>Reg. for Corr. Rcpt</i> Express Cert. Mail	40.00
"	Scott	00005/39590	10/672000	NEW APPL.: (371, Cont, CIP, Design, Div, PCT, Patent, Prov, RCE, TM.) Amdt, Assn, CH II, COC, Decl, Dwgs, IDS, Issf, Pet for EOT; Resp, St. of Use, Other: <i>Reg. for Corr. Rcpt</i> Express Cert. Mail	130.00
"	Law	00005/39574	10/668013	NEW APPL.: (371, Cont, CIP, Design, Div, PCT, Patent, Prov, RCE, TM.) Amdt, Assn, CH II, COC, Decl, Dwgs, IDS, Issf, Pet for EOT; Resp, St. of Use, Other: <i>Reg. for Corr. Rcpt</i> Express Cert. Mail	130.00
"	Law	00005/39574	10/668013	NEW APPL.: (371, Cont, CIP, Design, Div, PCT, Patent, Prov, RCE, TM.) Amdt, Assn, CH II, COC, Decl, Dwgs, IDS, Issf, Pet for EOT; Resp, St. of Use, Other: <i>Reg. for Corr. Rcpt</i> Express Cert. Mail	40.00
"	Scott	00005/39588	10/672549	NEW APPL.: (371, Cont, CIP, Design, Div, PCT, Patent, Prov, RCE, TM.) Amdt, Assn, CH II, COC, Decl, Dwgs, IDS, Issf, Pet for EOT; Resp, St. of Use, Other: <i>Reg. for Corr. Rcpt</i> Express Cert. Mail	40.00
"	Scott	00005/39588	10/672549	NEW APPL.: (371, Cont, CIP, Design, Div, PCT, Patent, Prov, RCE, TM.) Amdt, Assn, CH II, COC, Decl, Dwgs, IDS, Issf, Pet for EOT; Resp, St. of Use, Other: <i>Reg. for Corr. Rcpt</i> Express Cert. Mail	130.00
"	Engelston	00005/38302B	10/05534	NEW APPL.: (371, Cont, CIP, Design, Div, PCT, Patent, Prov, RCE, TM.) Amdt, Assn, CH II, COC, Decl, Dwgs, IDS, Issf, Pet for EOT; Resp, St. of Use, Other: <i>Reg. for Corr. Rcpt</i> Express Cert. Mail	
TJW	Kendrick	30477/A-578A	10/226408	NEW APPL.: (371, Cont, CIP, Design, Div, PCT, Patent, Prov, RCE, TM.) Amdt, Assn, CH II, COC, Decl, Dwgs, IDS, Issf, Pet for EOT; Resp, St. of Use, Other: <i>Reg. for Corr. Rcpt</i> Express Cert. Mail	

Date: 2/12/04 Page # 1 Day: MON TUES WED THUS FRI

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CLIENT or TITLE
DIVISION OF
CONTINUATION IN PART OF

INVENTOR Philip W. Eggleston
SERIAL NO. 10/005534 FILED 11/8/01 / Act unit #:
TITLE Rotary Valve Apparatus 3754
ASSIGNEE Fisher Controls International Inc Trans 6/1/02
ASSIGNMENT RECORDED 6-18-02 REEL 013003 FRAME 0672

OFFICE ACTIONS	AMENDMENTS
<u>3/18/02 Pub date (6/27/02)</u>	
	<u>6/1/02 Pmtg/Resub Pmtg w/</u>
	<u>6/3/02 Insⁿ 1845 w/cm</u>
<u>6/27/02 Pub # US-2002-0079740-A1</u>	
<u>8-16-02 Not. Re: Pmtg of ATT</u>	<u>5/5/03 Resub Pmtg... w/a</u>
<u>4/24/03 Action (7/27/03)</u>	<u>7-22-03 Resp. w/a</u>
<u>11/13/03 Action (2/13/04)</u>	<u>2/12/04-Amtd w/cm (86pm, 6/12/04)</u>
	<u>12/4/03 Resub. Pmtg ATT... w/a</u>
<u>2nd 104 Pmtg Accepted</u>	
<u>7/8/04 Not. of ABD Rec'd</u>	<u>7-23-04 Pet. to Revoke w/Exh A-D</u> (Exp)
<u>11/9/05 Petition Dismissed</u>	
<u>11/9/05 Req. Reconsideration (1/9/06)</u>	

Fisher Controls International LLC
Reel: 13003
Frame: 0672
Recordation Date: 11/27/2002

Philip W. Eggleston

ROTARY VALVE APPARATUS

EGCI

0001D2

ALLOWED _____ FINAL FEE PAID _____
PATENT NO. _____ DATE _____

Kruysman
250 Skillman Avenue Long Island City, NY 11101 (718) 433-3800 (800) 221-3218
Fax: 800-29-31 ©1995 Kruysman

CLIENT Fisher
CLIENT No. 06005
MATTER No. 38302B
56-11415

JRK

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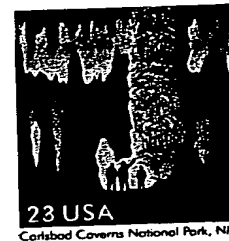
The Patent Office is hereby requested to acknowledge receipt
of the following papers by stamping and returning this card.

Eggleston
10/005,534

Amendment
w/Certificate of Mailing dated Feb. 12, 2004



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MARSHALL, GERSTEIN & BORUN RECEIVED

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MARSHALL GERSTEIN

